



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Peng Cho TANG et al.

Title: HEXAHYDRO-CYCLOHEPTA-PYRROLE OXINDOLE  
AS POTENT KINASE INHIBITORS

Appl. No.: 10/733,803

Filing Date: 12/12/2003

Examiner: Unassigned

Art Unit: 1626

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

#### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

#### **RELEVANCE OF EACH DOCUMENT**

The listed documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

*Michael M. A. W.*  
Reg No. 34, 717

Date May 24, 2004

By \_\_\_\_\_

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Attorney for Applicants  
Registration No. 35,087

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet	2	of	4
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<b>Application Number</b>	10/733,803
<b>Filing Date</b>	12/12/2003
<b>First Named Inventor</b>	Peng Cho Tang
<b>Group Art Unit</b>	1626
<b>Examiner Name</b>	Unassigned
<b>Attorney Docket Number</b>	034536-0835

[illegible]

**Examiner  
Signature**

Date Considered

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		<b>Complete if Known</b>	
		<b>Application Number</b>	10/733,803
(use as many sheets as necessary)		<b>Filing Date</b>	12/12/2003
		<b>First Named Inventor</b>	Peng Cho Tang
		<b>Group Art Unit</b>	1626
		<b>Examiner Name</b>	Unassigned
<b>Sheet</b>	3	<b>of</b>	4
		<b>Attorney Docket Number</b>	034536-0835

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A62	SCHLESSINGER ET AL., <i>Neuron</i> , 9:303-391 (1992)	
	A63	BOLEN, <i>Oncogene</i> , 8:2025-2031 (1993)	
	A64	BOLEN ET AL., <i>FASEB J.</i> , 6:3403-3409 (1992)	
	A65	KENDALL ET AL., <i>Proc. Natl. Acad. Sci.</i> , 90:10705-10709 (1994)	
	A66	KIM ET AL., <i>Nature</i> , 362:841-844 (1993)	
	A67	JELINEK ET AL., <i>Biochemistry</i> , 33:10450-56,	
	A68	TAKANO ET AL., <i>Mol. Bio., Cell</i> , 4:358A (1993)	
	A69	KINSELLA ET AL., <i>Exp. Cell Res.</i> , 199:56-62 (1992)	
	A70	WRIGHT ET AL., <i>J. Cellular Phys.</i> , 152:448-57	
	A71	FANTL ET AL., <i>Cell</i> , 69:413-423 (1992)	
	A72	SONGYANG ET AL., <i>Mol. Cell. Biol.</i> , 14:2777-2785 (1994)	
	A73	SONGYANG ET AL., <i>Cell</i> , 72:767-778 (1993)	
	A74	KOCH ET AL., <i>Science</i> , 252:668-678 (1991)	
	A75	FOLKMAN ET AL., <i>J. Biological Chem.</i> , 267(16): 10931-10934 (1992)	
	A76	KLAGSBURN ET AL., <i>Current Biology</i> , 3(10): 699-702 (1993)	

<b>Examiner Signature</b>		<b>Date Considered</b>	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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		First Named Inventor	Peng Cho Tang		
		Group Art Unit	1626		
		Examiner Name	Unassigned		
Sheet	4	of	4	Attorney Docket Number	034536-0835

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A77	FOLKHAM, J. <i>Natl. Cancer Inst.</i> , 82:4-6, (1991)	
	A78	WEIDNER ET AL., <i>New Engl. J. Med.</i> , 324:1-5 (1991)	
	A79	MARIANI ET AL., <i>Proc. Am. Assoc. Cancer Res.</i> , 35:2268 (1994)	
	A80	FINGL ET AL., <i>The Pharmacological Basis of Therapeutics</i> , Chapter 1, p. 1, (1975)	I

Examiner Signature		Date Considered	
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First Named Inventor				Peng Cho Tang	
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Attorney Docket Number				034536-0835	

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	4,604,463		MIYASAKA ET AL.	08/05/1986	
	A2	4,808,616		BUZZETTI ET AL.	02/28/1989	
	A3	4,904,650		BUZZETTI ET AL.	02/27/1990	
	A4	4,966,849		VALLEE ET AL.	10/30/1990	
	A5	5,217,999		LEVITZKI ET AL.	06/08/1993	
	A6	5,302,606		SPADA ET AL.	04/12/1994	
	A7	5,330,992		EISSENSTAT ET AL.	07/19/1994	
	A8	5,587,458		KING ET AL.	12/24/1996	
	A9	5,747,498		SCHNUR ET AL.	05/05/1998	
	A10	5,792,783		TANG ET AL.	08/11/1998	
	A11	5,834,504		TANG ET AL.	11/10/1998	
	A12	5,861,510		PISCOPIO ET AL.	01/19/1999	
	A13	5,863,949		ROBINSON ET AL.	01/26/1999	
	A14	5,877,305		HUSTON ET AL.	03/02/1999	
	A15	5,883,113		TANG ET AL.	03/16/1999	
	A16	5,886,020		TANG ET AL.	03/23/1999	
	A17	6,147,106		TANG ET AL.	11/14/2000	
	A18	6,258,824		YANG	07/10/2001	
	A19	6,284,764		KATH ET AL.	09/04/2001	
	A20	6,465,449		KATH ET AL.	10/15/2002	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
✓	A21	WO	94/10202	A1	GENENTECH INC.	05/11/1994		
✓	A22	WO	94/03427	A1	WARNER-LAMBERT COMPANY	02/17/1994		
✓	A23	WO	92/21660	A1	PFIZER INC.	12/10/1992		
✓	A24	WO	91/15495	A1	PFIZER INC.	10/17/1991		
✓	A25	WO	94/14808	A1	FARMITALIA CARLO ERBA SRL	07/07/1994		
✓	A26	WO	92/20642	A1	RHONE-POULENC RORER INTERNATIONAL (HOLDINGS) INC.	11/26/1992		
✓	A27	WO	95/19970	A1	WARNER-LAMBERT COMPANY	07/27/1995		
✓	A28	WO	95/21613	A1	SUGEN INC. ET AL.	08/17/1995		
✓	A29	WO	96/27583	A1	PFIZER INC.	09/12/1996		

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